

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL J. QUILLING, Receiver
for Advanced Financial Services, Inc.,

Plaintiff,

V.

TRADE PARTNERS, INC., MACATAWA §
BANK CORPORATION, successor by §
merger to GRAND BANK, THOMAS J. §
SMITH and CHRISTINE M. ZMUDKA, §

Defendants.

Civil Action No. 1:03-CV-0236

REPORT AND RECOMMENDATION AS TO DOCKET NO. 1230

On March 21, 2006 the Court considered the Receiver’s Motion to Disallow Claim of Joseph Berthiaume [Docket No. 1230]. After consideration of the Motion and the Receiver’s presentation, the Court finds that there is no evidence that Trade Partners, Inc. ever received any of the funds at issue and, therefore, the Court recommends that the Motion be granted and that Claim No. A-01207 be disallowed in its entirety.

Date: March 23, 2006

/s/ Ellen S. Carmody
ELLEN S. CARMODY
United States Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within ten (10) days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-950 (6th Cir. 1981).